

Amendment No. 1 to HB3134

**Robinson
Signature of Sponsor**

AMEND Senate Bill No. 3155

House Bill No. 3134*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-201, is amended by adding the following language as a new subsection (g):

(g)(1) Effective July 2, 2000, the department of safety shall administratively authorize and issue cultural and new specialty earmarked license plates without the necessity of specific legislative authorization for each newly proposed plate. The department of safety shall issue and renew such plates subject to the requirements of subsections (b) and (c) and all other applicable provisions of this part.

(2) The provisions of this subsection shall not apply to the issuance or renewal of cultural or new specialty earmarked licensed plates initially issued or authorized by statute prior to July 2, 2000.

SECTION 2. Tennessee Code Annotated, Section 55-4-209(2)(A), is amended by deleting such subdivision in its entirety and by substituting instead the following language:

(2)(A) "Cultural plate" means:

(i) An honorary motor vehicle registration plate enumerated in §55-4-202(c)(5) and authorized by statute prior to July 2, 2000, which statute does not specifically earmark the funds produced from the sale of such plate and therefore such funds are allocated pursuant to §55-4-216; or

(ii) An honorary motor vehicle registration plate administratively authorized by the department of safety on or after July 2, 2000, the authorization for which plate does not

Amendment No. 1 to HB3134

Robinson
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3155

House Bill No. 3134*

specifically earmark the funds produced from the sale of such plate and therefore such funds are allocated pursuant to §55-4-216;

SECTION 3. Tennessee Code Annotated, Section 55-4-209(4), is amended by deleting such subdivision in its entirety and by substituting instead the following language:

(4) "New specialty earmarked plate" means:

(A) A motor vehicle registration plate enumerated in §55-4-202(c)(7) and authorized by statute on or after July 1, 1998, which statute earmarks fifty percent (50%) of the funds produced from the sale of such plate to be allocated to a specific nonprofit organization(s) or state agency or fund to fulfill a specific purpose or to accomplish a specific goal pursuant to §55-4-215; or

(B) A motor vehicle registration plate administratively authorized by the department of safety on or after July 2, 2000, the authorization for which plate earmarks fifty percent (50%) of the funds produced from the sale of such plate to be allocated to a specific nonprofit organization(s) or state agency or fund to fulfill a specific purpose or to accomplish a specific goal pursuant to §55-4-215;

SECTION 4. Tennessee Code Annotated, Section 55-4-210, is amended by deleting subsections (a) and (b) in their entirety and by substituting instead the following language:

(a)(1) Effective July 2, 2000, applications for the authorization and issuance of cultural and new specialty earmarked license plates shall be made directly to the department of safety without the necessity of specific legislative authorization for each

Amendment No. 1 to HB3134

Robinson
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3155

House Bill No. 3134*

newly proposed plate. The department shall compile all such applications and shall authorize and issue such cultural and new specialty earmarked plates to qualified applicants subject to the minimum issuance and renewal requirements of §55-4-201(b) and (c) and all other applicable provisions of this part.

(2) As part of the authorization process for a cultural or new specialty earmarked license plate, the department shall determine if such plate is eligible for personalization pursuant to §55-4-211.

(3) The provisions of this subsection shall not apply to the issuance or renewal of cultural or new specialty earmarked licensed plates initially issued or authorized by statute prior to July 2, 2000.

(b) The provisions of subdivision (a)(1) shall be construed to authorize the administrative issuance of personalized plates and collegiate plates, as defined in §55-4-209, to qualified applicants by the department; provided that the minimum issuance and renewal requirements of §55-4-201(b) and (c) and all other applicable requirements of this part are met for each individual classification of personalized or collegiate plates.

SECTION 5. Tennessee Code Annotated, Section 55-4-210, is further amended by adding the following language as a new subsection (d) and by redesignating subsequent subsections accordingly:

(d) The commissioner of safety shall refuse to administratively authorize or issue any cultural or new specialty earmarked license plate that, in the judgement of the commissioner,

Amendment No. 1 to HB3134

Robinson
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3155

House Bill No. 3134*

(1) features the brand name, logo or other representation of a trademarked or copyrighted consumer product or endorses or promotes a trademarked or copyrighted consumer product;

(2) features the name, logo or other representation of a specific political party or endorses or promotes a specific political party;

(3) endorses or promotes a specific political belief, cause or agenda, or makes a political statement; or

(4) endorses or promotes a specific religion, faith or antireligion.

SECTION 6. Tennessee Code Annotated, Section 55-4-210, is further amended by adding the following language as new, appropriately designated subsections:

() No later than July 15 of each year, the department of safety shall provide to the Tennessee code commission a list containing the name and stated purpose of each cultural and new specialty earmarked license plate that was administratively authorized and initially issued by the department during the preceding fiscal year. Such list shall include the name and address of each non-profit organization or state agency or fund that is receiving fifty percent (50%), or a smaller percentage, of the funds produced from the sale of each individual classification of new specialty earmarked plates.

() No later than July 15 of each year, the department of safety shall provide to the Tennessee code commission a list containing the name of each administratively authorized and issued cultural and new specialty earmarked license plate that failed to comply with the minimum issuance and renewal requirements of §55-4-201 during the

Amendment No. 1 to HB3134

Robinson
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3155

House Bill No. 3134*

preceding fiscal year, and therefore the issuance and renewal of such plate has been discontinued by the department.

SECTION 7. The commissioner of safety is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 8. For the purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 2, 2000, the public welfare requiring it.